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SIPDIS

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G/TIP FOR PATEL, DRL FOR ANZALDUA

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TAGS: [PGOV](#) [SOCI](#) [ELAB](#) [KTIP](#) [KU](#)
SUBJECT: LABOR ISSUES REMAIN AT THE FORE IN KUWAITI
DISCUSSIONS

REF: A. KUWAIT 954
[¶](#)B. KUWAIT 864

Classified By: Political Counselor Peter O'Donohue for reasons 1.4 b and d

Summary

[¶](#)1. (C) Since an outbreak of violent labor strikes in late July, Kuwaiti officialdom and the media have continued to scrutinize TIP and labor issues. The GOK appears to be leveraging a 'law and order' approach to violent strikers, including the planned deportation of thousands of undocumented workers, against much needed reforms in law and practice, so as to redeem the country's image. Sporadic strikes continue, though none has been as violent as those that took place in July. There have been no further mass deportations of laborers, but some 5000 illegals currently await probable deportation. While these matters continue to garner media and governmental attention, the GOK's response to the issue has been to:

- threaten to identify publicly Kuwaiti companies and nationals engaged in "visa trading" and other labor violations;
- hold a special one-day parliamentary session to address the labor issue and to spell out recommendations for action;
- deport individuals illegally residing in the country.

While the present Ramadan season has prevented the GOK and parliament from tackling the labor issue head on, we anticipate it will be at the forefront of the agenda when the National Assembly reconvenes in late October. End Summary.

MPs Use Issue as a Stick to Beat the GOK

[¶](#)2. (C) In response to public outcry and demand by many MPs, a special session of the National Assembly was held September 10 to lambaste the GOK over the recent labor riots and ongoing TIP concerns. Though taking care to address the labor issue from both a security and a human rights angle, the MPs clearly relished using the session to embarrass the government by accusing it of inaction and demanding that it expose official Kuwaitis involved in visa trading and other labor abuses. The MPs particularly targeted the Ministry of Social Affairs and Labor (MOSAL), alleging that some of its officials were complicit with visa traders. Salafi Islamic Grouping's MP Khalid Sultan told MOSAL Minister Bader Al-Duwaila "If you fight corruption in your ministry, we'll support you." But he and other MPs made clear that they would be eager to press the attack on MOSAL if it failed to clean house. (Note: There have also been allegations making the rounds that the Minister of Communications, who

reportedly owns a cleaning company that employs Bangladeshis and is close to the Prime Minister, was involved in labor abuse. End Note.)

Us Versus Them

¶3. (C) Not all MPs demonstrated a paramount concern for the rights of laborers. Playing to Kuwaiti xenophobes, some MPs grandstanded to their constituencies, painting the laborers -- notably the Bangladeshis -- as overly numerous and too prone to engage in criminality. Among other attributes, some MPs accused Bangladeshis and other foreigners of running brothels, smuggling drugs, engaging in theft and being "carriers of disease." (Note: A commonly held stereotype and one earlier conveyed to Ambassador by the Kuwait State Security Director during a July meeting following the release of the TIP Report. End Note). Also, in an attempt to instill fear in the populace, Islamic Constitutional Movement's Jam'an Al-Hirbish alleged that many of the 40,000 Iranian workers are spies for the Iranian Revolutionary Guard Corps (IRGC).

GOK Refuses to Name Violators

¶4. (C) In an intervention on behalf of the GOK, MOSAL Minister Al-Duwaila acknowledged two problems that define labor issues in Kuwait: low, late, or unpaid salaries; and poor, unsafe working and/or living conditions. To the disappointment of the MPs, Al-Duwaila declined to identify publicly those under scrutiny for trafficking or labor

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violations, suggesting that doing so would jeopardize ongoing investigations. (Note: It is significant that MPs were seized with the issue of labor abuse even during the normally soporific holy month of Ramadan. Their fervor suggests that they feel they have found a government weak spot. The true test of their commitment to making real progress on the issue will come after Eid and when Parliament reconvenes in October.)

Session Produces Ideas, But Not Much Action

¶5. (C) The September 10 session concluded with 38 recommendations from the National Assembly to the GOK. The principal recommendations included a proposal to build "labor cities" that comply with international safety and security standards, limiting the numbers of particular nationalities allowed to work in Kuwait, and increasing the scrutiny of companies that win government contracts. Since the session, there has been little movement on these recommendations, which were met with skepticism by the press and public. Meanwhile, sporadic and limited strikes, arrests and deportations of laborers declared as illegal residents have continued.

Ministry of Interior Cracks Down on Visa Traders

¶6. (C) One area where the GOK has stepped up its activity is in blacklisting abusive labor importers. In recent months, 200 Kuwaiti individuals and 40 companies (names not yet made public) reportedly have been blacklisted from sponsoring laborers and domestic workers. Under Kuwaiti law, those laborers who entered Kuwait under the sponsorship of blacklisted employers are now potentially exposed to being identified as illegal residents. The pool of laborers who are, for one reason or another, considered illegal is significant. Arabic Daily Al-Watan reported September 21 that a Ministry of Interior crackdown recently netted over 5,000 illegal residents, who are now awaiting deportation.

Roles of GOK Ministries

¶ 17. (U) MOSAL and the Ministry of the Interior are the primary actors in combating TIP and labor abuses. In MOSAL's capacity of dealing with general, or non-domestic labor, it issues work permits, inspects work sites, assesses labor requirements, passes labor importation and foreign labor employment regulations, enforces labor laws, and adjudicates complaints and strikes, inter alia. Of the total population of approximately 3.1 million, recent GOK estimates put the current number of foreign workers in Kuwait at 1,208,156. Of this number, only 103,672 are employed by the government; the balance work in the private sector. Foreign workers in Kuwait are governed under the Private Sector Labor law. This segment of the population does not include the 544,329 domestic workers, i.e. household maids, gardeners, nannies, and drivers, who are covered by the Ministry of Interior's Immigration and Domestic Labor Department. There is no statute that governs or regulates domestic employment. The relationship between the employee and employer is governed by a contract between the two parties. Recent editorials in the Kuwaiti press suggest that at least some segments of Kuwaiti society are aware of and sympathetic to the plight of abused domestic workers.

Comment

¶ 18. (C) While Kuwaitis continue to decry labor abuses, action has been limited at best to protect laborers from their exposure to poor treatment, little to no payment, and harsh living/working conditions. It is significant, though, that the issue remains a topic for debate both in the press and among parliamentarians. A number of commentators have called for genuine reform of the labor sponsorship system in order to undo the damage to Kuwait's image resulting from the well-documented abuses. That this awareness and public discussion has remained at high volume during the normally slow Ramadan season is encouraging and suggests the possibility that the GOK will tackle labor issues more decisively when the National Assembly reconvenes at the end of October. End comment.

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